

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**COURTROOM PROCEEDINGS**

The court met in its courtroom at 1:30 P.M. Present: Honorable Steven M. Vartabedian, Acting Presiding Justice; Honorable Thomas A. Harris, Associate Justice; Honorable Herbert I. Levy, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Joe G. Lopez, Senior Deputy Clerk.

**F035072 Cabral v. Wells et al.**

Cause called and argued by Timothy D. McCollum, Esq., counsel for appellant and by Jeffrey P. Davis, Esq., counsel for respondents.

Cause ordered submitted.

At this point Levy, J. leaves the bench and is replaced by Polley, ProTem J.

**F032406 People v. Harrell et al.**

Cause called and argued by Michael Sattris, Esq., counsel for appellant Milton B. Harrell. Dale Dombkowski, Esq., counsel for appellant Richard Richardson waived oral argument. David Morse, Esq., counsel for appellant Darnel Green waived oral argument. Jeffrey Firestone, Esq., Deputy Attorney General, counsel for respondent waived oral argument.

Cause ordered submitted.

Court recessed until Monday, October 15, 2001 at 1:45 P.M.

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**F034226      Ringgold et al. v. State of California**

The judgment is affirmed. Costs are awarded to respondent.

As sanctions for bringing and prosecuting this frivolous appeal, Kirk Ringgold and Dia Ringgold and the law offices of Leland D. Stephenson, jointly and severally, shall pay the sum of \$2,500 to the State of California, Department of Transportation and the additional sum of \$500.00 to the State of California in care of the clerk of this court, who shall deposit said sum in the general fund. All sanctions shall be paid in full no later than 15 days after the remittitur is issued by this court.

Leland D. Stephenson and the clerk of this court are each ordered to forward a copy of this opinion to the State Bar of California upon issuance of the remittitur. Polley, ProTem J.

We concur: Ardaiz, P.J.; Wiseman, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F036456      People v. Amos**

The order of the superior court denying Amos's motion for relief from his obligation to pay the restitution fines is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F037010      People v. Jacobs**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F037010      People v. Jacobs**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

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**F036878      People v. Reyes**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F036548      People v. Absher**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F036548      People v. Absher**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F036878      People v. Reyes**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F038182      In re Devonte B. et al., Minors**

No brief or request for extension of time having been filed within the time provided, the appeal is dismissed.

**F037339      People v. Juarez**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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**F037339      People v. Juarez**

The judgment is affirmed as to the conviction of spousal abuse. That part of the judgment relating to the true findings on the allegations of defendant's prior conviction and prior prison term enhancement are reversed, and the cause remanded for new proceedings to determine the validity of these matters and for resentencing.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F035387      Prothero et al. v. Kay et al.**

The judgment is affirmed. Costs are awarded to respondent.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F036075      Ward v. Blevins, et al.; Fremont Compensation Insurance Company**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F036075      Ward v. Blevins, et al.; Fremont Compensation Insurance Company**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F036519      In re the Marriage of Strange**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F036519      In re the Marriage of Strange**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

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**F036597 Carolyn Aguilar, as Trustee, etc. v. Blair**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F036597 Carolyn Aguilar, as Trustee, etc. v. Blair**

The judgment is affirmed. Costs are awarded to respondents.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F038697 Weston L. v. The Superior Court of Kern County; Kern County Department of Human Services**

The petition for extraordinary writ is denied.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F037349 McQuone v. Brown**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

**F033084 People v. Gayton**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

**F036767 In re Anthony P., a Minor**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

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**F034640      People v. Ritchie**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

**F034527      People v. Vasquez**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

AMENDED TO ADD FOLLOWING ENTRIES

**F037375      People v. Wade**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F037275      People v. Wade**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]